

PUBLIC CHAPTER NO. 688

SENATE BILL NO. 3671

By Bunch, Raymond Finney

Substituted for: House Bill No. 3115

By DuBois, Gresham, Campfield, Hensley, Hardaway

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 12 and Title 29, Chapter 20, relative to responsibility for information left on laptop computers or other removable storage devices.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. (a) Each state agency shall create safeguards and procedures for ensuring that confidential information regarding citizens is securely protected on all laptop computers and other removable storage devices used by such state agency.

(b) All municipalities and counties shall create safeguards and procedures for ensuring that confidential information regarding citizens is securely protected on all laptop computers and other removable storage devices used by such municipality or county.

(c) Notwithstanding any other law to the contrary, failure to comply with this section shall create a cause of action or claim for damages against the state, municipality, or county if a citizen of this state proves by clear and convincing evidence that such citizen was a victim of identity theft due to a failure to provide safeguards and procedures regarding that citizen's confidential information.

SECTION 2. This act shall take effect July 1, 2008, the public welfare requiring it.

PASSED: March 24, 2008



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 2nd day of April 2008



PHIL BREDESEN, GOVERNOR